

**STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.**  
0 Valuation of Security      0 Assumption of Executory Contract or Unexpired Lease      0 Lien Avoidance

Last revised: September 1, 2018

**UNITED STATES BANKRUPTCY COURT  
District of New Jersey**

In Re: **Kimberly Thomas**

Case No.: \_\_\_\_\_

Judge: \_\_\_\_\_

Debtor(s)

**CHAPTER 13 PLAN AND MOTIONS**

☐ Original  
☐ Motions Included

☒ Modified/Notice Required  
☐ Modified/No Notice Required

Date: \_\_\_\_\_

**THE DEBTOR HAS FILED FOR RELIEF UNDER  
CHAPTER 13 OF THE BANKRUPTCY CODE.**

**YOUR RIGHTS MAY BE AFFECTED**

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

**The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.**

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney \_\_\_\_\_ Initial Debtor: K T Initial Co-Debtor \_\_\_\_\_

**Part 1: Payment and Length of Plan**

a. The debtor shall pay \$300.00 Monthly\*\* to the Chapter 13 Trustee, starting on December 1, 2019 for approximately 80 months.

**\*\*\$400.00 for months 1-3**

**\$300.00 for months 4-60 beginning March 1, 2020**

b. The debtor shall make plan payments to the Trustee from the following sources:

- ☒ Future Earnings  
☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property  
Description:  
Proposed date for completion: \_\_\_\_\_

☐ Refinance of real property:  
Description:  
Proposed date for completion: \_\_\_\_\_

☐ Loan modification with respect to mortgage encumbering property:  
Description:  
Proposed date for completion: \_\_\_\_\_

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

**Part 2: Adequate Protection**

☒ NONE

a. Adequate protection payments will be made in the amount of \$\_\_\_\_\_ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to \_\_\_\_\_ (creditor).

b. Adequate protection payments will be made in the amount of \$\_\_\_\_\_ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: \_\_\_\_\_ (creditor).

**Part 3: Priority Claims (Including Administrative Expenses)**

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Joan Sirks Warren	Attorney Fees	3,000.00

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:

Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
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#### Part 4: Secured Claims

##### a. Curing Default and Maintaining Payments on Principal Residence: ☐ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
SLS	home: 110 Kemper Court Hackettstown	\$9,356.07		\$9,356.07	\$974.00

##### b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☐ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Ally	2015 Kia Rio	\$830.26	0.00	\$830.26	\$359.00

##### c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan including Interest Calculation
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##### d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☒ NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid
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-NONE-

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

**e. Surrender ☒ NONE**

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
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**f. Secured Claims Unaffected by the Plan ☒ NONE**

The following secured claims are unaffected by the Plan:

Creditor  
Ally

**g. Secured Claims to be Paid in Full Through the Plan ☒ NONE**

Creditor	Collateral	Total Amount to be Paid through the Plan
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**Part 5: Unsecured Claims ☐ NONE**

**a. Not separately classified allowed non-priority unsecured claims shall be paid:**

- ☐ Not less than \$\_\_\_ to be distributed *pro rata*
- ☐ Not less than \_\_\_ percent
- ☒ *Pro Rata* distribution from any remaining funds

**b. Separately classified unsecured claims shall be treated as follows:**

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
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**Part 6: Executory Contracts and Unexpired Leases ☒ NONE**

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment
Hyundai Lease	\$441.02	2018 Kia Forte	Assumed	\$421.02

**Part 7: Motions ☒ NONE**

**NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.**

**a. Motion to Avoid Liens under 11 U.S.C. Section 522(f). ☒ NONE**  
The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
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**b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☒ NONE**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified
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**c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☒ NONE**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
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#### Part 8: Other Plan Provisions

**a. Vesting of Property of the Estate**

- ☒ Upon Confirmation  
☐ Upon Discharge

**b. Payment Notices**

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

**c. Order of Distribution**

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee Commissions
- 2) Other Administrative Claims
- 3) Secured Claims
- 4) Priority Claims
- 5) Lease Arrearages

6) General Unsecured Claims

d. Post-Petition Claims

The Standing Trustee ☒ is, ☐ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☒ NONE

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: .

Explain below why the plan is being modified:

Explain below how the plan is being modified:

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☐ No

Part 10 : Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to *Local Form, Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: March 20, 2020

/s/ Kimberly Thomas

Kimberly Thomas

Debtor

Date: \_\_\_\_\_

Joint Debtor

Date: March 20, 2020

/s/ Joan Sirkis Warren

Joan Sirkis Warren

Attorney for the Debtor(s)

## Certificate of Notice Page 7 of 8

United States Bankruptcy Court  
District of New JerseyIn re:  
Kimberly A. Thomas  
DebtorCase No. 19-31389-MBK  
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
Form ID: pdf901Page 1 of 2  
Total Noticed: 46

Date Rcvd: Mar 23, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 25, 2020.

db  
518566427 +Kimberly A. Thomas, 110 Kemper Court, Hackettstown, NJ 07840-1681  
518566434 Best Buy /CBNA, PO Box 6497, Sioux Falls, SD 57117-6497  
++CITIBANK, PO BOX 790034, ST LOUIS MO 63179-0034  
(address filed with court: Home Depot, PO Box 653000, Dallas, TX 75265)  
518633972 Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701  
518672402 Citibank, N.A., 5800 S Corporate Pl, Sioux Falls, SD 57108-5027  
518566433 Genesis Card Services, PO Box 4468, Beaverton, OR 97076  
518770001 +Georgian Townhouse Association, c/o Florio, Perrucci, Steinhardt, Cappee, 235 Broubalow Way,  
Phillipsburg, New Jersey 08865, DC-910-16, Amount: \$9080. 08865-1682  
518566435 +Home Depot Specialty Services, c/o Vengoff Williams, Inc., PO Box 4155,  
Sarasota, FL 34230-4155  
518668957 +Hyundai Lease Titling Trust, PO Box 20825, Fountain Valley, CA 92728-0825  
518566436 KIA Financial Services, Dept. #194501, P.O. Box 55000, Detroit, MI 482551945  
518566437 +KIA MOTORS FINANCE, 4000 MACARTHUR BLVD, SUITE 1000, Newport Beach, CA 92660-2544  
518566441 OneMain, PO Box 740594, Cincinnati, OH 45274-0594  
518566443 +SLS, 8742 Lucent Boulevard, Suite 300, Littleton, CO 80129-2386  
518566444 +Social Security Administration, PO Box 3430, Philadelphia, PA 19122-0430  
518634479 +Specialized Loan Servicing LLC, 8742 Lucent Blvd, Suite 300,  
Highlands Ranch, Colorado 80129-2386  
518566447 +Target, PO Box 660170, Dallas, TX 75266-0170  
518630672 +The Bank of Missouri, PO Box 105555, Atlanta, GA 30348-5555

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Mar 23 2020 23:47:54 U.S. Attorney, 970 Broad St.,  
Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534  
smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Mar 23 2020 23:47:50 United States Trustee,  
Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,  
Newark, NJ 07102-5235  
518566425 +E-mail/Text: ally@ebn.phinsolutions.com Mar 23 2020 23:47:09 Ally, PO Box 380902,  
Minneapolis, MN 55438-0902  
518698912 E-mail/Text: ally@ebn.phinsolutions.com Mar 23 2020 23:47:09 Ally Financial,  
PO Box 130424, Roseville MN 55113-0004  
518566426 E-mail/Text: ally@ebn.phinsolutions.com Mar 23 2020 23:47:09 Ally Financial,  
PO Box 380901, Minneapolis, MN 55438-0901  
518566430 +E-mail/Text: GenesisFS@ebn.phinsolutions.com Mar 23 2020 23:48:35 CB Indigo / GF,  
PO Box 4499, Beaverton, OR 97076-4499  
518566428 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Mar 23 2020 23:50:06 Capital One,  
PO Box 30285, Salt Lake City, UT 84130-0285  
518612372 +E-mail/PDF: EBN\_AIS@AMERICANINFOSOURCE.COM Mar 24 2020 00:01:31  
Capital One Bank (USA), N.A., 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901  
518612375 +E-mail/PDF: EBN\_AIS@AMERICANINFOSOURCE.COM Mar 24 2020 00:01:31 Capital One N.A.,  
4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901  
518566429 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Mar 23 2020 23:49:01  
Capital One- Quick silver, PO Box 70884, Charlotte, NC 28272-0884  
518566431 +E-mail/PDF: creditonebknofications@resurgent.com Mar 23 2020 23:49:24 Credit One Bank,  
PO Box 98875, Las Vegas, NV 89193-8875  
518566432 E-mail/Text: mrdiscen@discover.com Mar 23 2020 23:47:12 Discover, PO Box 15316,  
Wilmington, DE 19850-5316  
518577459 E-mail/Text: mrdiscen@discover.com Mar 23 2020 23:47:12 Discover Bank,  
Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025  
518664378 E-mail/Text: JCAP\_BNC\_Notices@jcap.com Mar 23 2020 23:48:03 Jefferson Capital Systems LLC,  
Po Box 7999, Saint Cloud Mn 56302-9617  
518566438 E-mail/Text: bncnotices@becket-lee.com Mar 23 2020 23:47:19 Kohls, PO Box 3043,  
Milwaukee, WI 53201-3043  
518566439 +E-mail/Text: bncnotices@becket-lee.com Mar 23 2020 23:47:19 Kohls/Capone, PO Box 3115,  
Milwaukee, WI 53201-3115  
518651532 E-mail/PDF: resurgentbknofications@resurgent.com Mar 23 2020 23:48:59 LVNV Funding, LLC,  
Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587  
518566440 +E-mail/PDF: gecsedirecoverycorp.com Mar 23 2020 23:48:48 Lowes, PO Box 4596,  
Carol Stream, IL 60197-4596  
518586991 +E-mail/PDF: cbp@onemainfinancial.com Mar 23 2020 23:49:41 ONEMAIN, P.O. Box 3251,  
Evansville, In. 47731-3251  
518566442 +E-mail/PDF: cbp@onemainfinancial.com Mar 23 2020 23:49:11 OneMain, PO Box 1010,  
Evansville, IN 47706-1010  
518649925 E-mail/Text: bnc-quantum@quantum3group.com Mar 23 2020 23:47:48  
Quantum3 Group LLC as agent for, GPCC I LLC, PO Box 788, Kirkland, WA 98083-0788  
518658602 E-mail/Text: bnc-quantum@quantum3group.com Mar 23 2020 23:47:48  
Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788  
518566445 +E-mail/PDF: gecsedirecoverycorp.com Mar 23 2020 23:49:17 SYNCB/ HOME, PO BOX 965036,  
Orlando, FL 32896-5036  
518566446 +E-mail/PDF: gecsedirecoverycorp.com Mar 23 2020 23:49:49 SYNCB/Lowes, PO Box 96505,  
Orlando, FL 32896-0001  
518568832 +E-mail/PDF: gecsedirecoverycorp.com Mar 23 2020 23:49:17 Synchrony Bank,  
c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

District/off: 0312-3

User: admin  
Form ID: pdf901

Page 2 of 2  
Total Noticed: 46

Date Rcvd: Mar 23, 2020

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

518670285 +E-mail/Text: bncmail@w-legal.com Mar 23 2020 23:48:01 TD Bank USA, N.A.,  
C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132  
518566448 E-mail/PDF: gecsedirecoverycorp.com Mar 23 2020 23:49:49 TJM Rewards, PO Box 530948,  
Atlanta, GA 30353-0948  
518566449 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Mar 23 2020 23:47:44 Victorias Secret,  
PO Box 182789, Columbus, OH 43218-2789  
518566450 E-mail/PDF: gecsedirecoverycorp.com Mar 23 2020 23:49:50 Walmart, PO Box 960023,  
Orlando, FL 32896-0023

TOTAL: 29

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Mar 25, 2020

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 20, 2020 at the address(es) listed below:

Albert Russo docs@russotrustee.com  
Denise E. Carlon on behalf of Creditor Specialized Loan Servicing, LLC  
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
Joan Sirkis Warren on behalf of Debtor Kimberly A. Thomas joan@joanlaverylaw.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 4